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14. ABSTRACT Over \$700 billion has been allocated towards the global war on terror since 2001, of which almost \$20 billion has been awarded in the 2006-2008 timeframe by contingency contracting officers (CCOs) in the field supporting operations in Iraq and Afghanistan. This level of magnitude and effort for operational contract support requires that Geographic Combatant Commanders, Joint Task Force Commanders, and the planners that advise them carefully consider that the ethical decisions being made by the CCOs in the field have a tremendous impact on the overall success of the operational missions. Dollar figures as large as those listed above and the austere locations where these dollars change hands dramatically increases the possibility that CCOs will face situations that require sound ethical decisions. In order to avoid fraud, bribery, contractor kickbacks, or even any perception of activity that may not be in line with the proper use of U.S. Government funds. It is imperative that commanders and their staffs think about the employment of CCOs early in the planning process to ensure that they are providing the most professional, properly trained, and ethically sound contract support options for the theater of operations.					
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**NAVAL WAR COLLEGE
Newport, R.I.**

JOINT CONTINGENCY CONTRACTING: IMPROVING THROUGH ETHICS

by

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Major USAF

A paper submitted to the Faculty of the Naval War College in partial satisfaction of the requirements of the Department of Joint Military Operations.

The contents of this paper reflect my own personal views and are not necessarily endorsed by the Naval War College, the Department of the Navy or the Department of the Air Force.

Signature: _____

04 May 2009

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Abstract

Over \$700 billion has been allocated towards the global war on terror since 2001, of which almost \$20 billion has been awarded in the 2006-2008 timeframe by contingency contracting officers (CCOs) in the field supporting operations in Iraq and Afghanistan.¹ This level of magnitude and effort for operational contract support requires that Geographic Combatant Commanders, Joint Task Force Commanders, and the planners that advise them carefully consider that the ethical decisions being made by the CCOs in the field have a tremendous impact on the overall success of the operational missions. Dollar figures as large as those listed above and the austere locations where these dollars change hands dramatically increases the possibility that CCOs will face situations which place them into ethical dilemmas. In order to avoid fraud, bribery, contractor kickbacks, or even any perception of activity that may not be in line with the proper use of U.S. Government funds, it is imperative that commanders and their staffs think about the employment of CCOs early in the planning process to ensure that they are providing the most professional, properly trained, and ethically sound contract support options for the theater of operations.

¹ David Walker, "Testimony," Senate. *Stabilizing and Rebuilding Iraq-Actions Needed to Address Inadequate Accountability Over U.S. Efforts and Investments*, released 11 Mar 2007.

INTRODUCTION

Hardly a week goes by without a breaking news story dealing with fraud, bribery, scandal, or other questionable ethical behavior by individuals or organizations in both the private and public sectors. Even when it appears that individuals acted alone, entire organizations are often tainted and seen as untrustworthy in the eyes of the public. Those of us in the military who are charged with safeguarding and properly spending U.S. taxpayer dollars are particularly subject to close public scrutiny—and for good reasons. Some practices that may be acceptable in the private sector, especially in foreign locations, such as contractor favoritism, favors or gifts, promises for repeat contracts, or monetary kickbacks for contract awards, do not meet the higher standards of integrity, honesty, and fairness expected from public servants. Stewards of U.S. Government funds must sometimes go beyond even what is required in writing in the regulations to avoid even the appearance of any possible impropriety. This requires good, sound judgment in every situation--at home station and at deployed locations across the globe. Since the beginning of U.S. operations in Kuwait, Iraq, and Afghanistan, the number of Government personnel involved in fraud cases has been disturbing. The Commission on Army Acquisition and Program Management in Expeditionary Contracting released a report dated 31 Oct 2007 stating that at that time there were 78 open fraud cases involving a total of 103 U.S Government personnel.²

Government personnel involved in questionable fiscal practices and poor ethical decisions are nothing new. As far back as 1861 when President Lincoln appointed Mr. Simon Cameron to his cabinet as Secretary of War, there were rumors of Cameron's war contract corruption practices and ethical problems. President Lincoln asked Thaddeus

² Commission on Army Acquisition and Program Management in Expeditionary Operations. *Urgent Reform Required: Army Expeditionary Contracting*. October 31, 2007. p.22.

Stevens, chairman of the House Ways and Means Committee, about Mr. Cameron's honesty and was told, "Well, I don't believe he would steal a red hot stove."³ Contracting is also very complicated and is therefore sometimes easier to brush aside as an afterthought in times of conflict. During the Battle of Waterloo in 1815, the Duke of Wellington when questioned about his spending by the authorities in London, was reported as replying back asking if they wanted him to oversee accounting issues or to actually fight Napoleon.⁴

The American system of Government is founded on public trust, and Department of Defense contracting officers acting on behalf of the American taxpayer must put their loyalty to the Constitution and the nation's laws above any possible personal gain. Between 2001 and 2008 the United States has appropriated almost \$700 billion towards the global war on terror and most of that has gone to support military operations in OPERATION IRAQI FREEDOM (OIF). A Government Accountability Office report concluded that large expenditures of this magnitude coupled with the enormous tasks to be accomplished raise the risk for potential fraud, waste, abuse, and corruption. The report also stated that the risk is further elevated when the United States fails to follow strategic planning guidance to provide sufficient contract oversight and pre-deployment training for commanders on the roles of contractors in the theater of operations.⁵

Operational planners and Regional Combatant Commanders must realize that contracted support will most likely be necessary in every future joint operation. With reduced military manpower and the smaller in theater footprint now employed now by U.S.

³ Mr Lincoln Whitehouse website, Simon disturbed of the comment asked for a retraction to which Stevens replied, "Maybe he would steal a red hot stove."
http://mrlincolnwhitehouse.org/content_inside.asp?ID=85&subjected=2 (Accessed 1 April 2009).

⁴ Ibid.

⁵ U.S. Government Accountability Office (GAO), *Stabilizing and Rebuilding Iraq* (Washington, DC: GAO-08-568T, 11 March 2008), 1.

forces, it is still impossible to imagine any major operations without the involvement of significant contracted support. Contract support is a force multiplier for the joint force, and it must be integrated early into the operational planning process.⁶ Given that contract support will most likely be present in every operation, contingency contracting officers will be required and their actions will have a profound effect on the operation. Joint planners need to deliver quality contracting personnel into the theater in order to support and sustain troops, rebuild local infrastructure, and in some cases, such as OIF and OPERATION ENDURING FREEDOM (OEF), attempt to reestablish local economies and commerce in the country where operations are taking place.

This requires contracting officers to possess strong ethical standards, a solid contracting background acquired through training and experience, the ability to build trust with local populations, and adequate contract oversight personnel to ensure proper contract performance. Operational plans can be hindered when unethical actions take place at the tactical level. Effects of unethical decisions by those trusted with taxpayer dollars can have negative impacts on local populations as the U.S. attempts to rebuild their economy. It can also create negative perceptions of the U.S. military organization as a whole in the eyes of the U.S. population.

To ensure the proper employment of ethically sound contracting officers to the theater of operations, the Geographic Combatant Commander, Joint Task Force Commander, and the planners that advise them should ask the following:

⁶ U.S. Office of the Chairman of the Joint Chiefs of Staff, *Operational Contract Support*, Joint Publication 4-10 (Washington, DC: CJCS, 17 October 2008).

- 1) Has the contracting force been properly trained and do they possess the professional qualifications required to meet the increased contingency requirements--both in complexity and quantity of contracts?
- 2) Has the correct length of deployment been established when assigning CCOs to the field to ensure the Services are consistent and risk of fraud situations are reduced?
- 3) Have steps been taken to ensure planned contracted support has adequate oversight to ensure proper quality assurance and that cost estimates remain in within scope?

DISCUSSION / ANALYSIS

There is a large disparity between the Army and Air Force relating to the number of contracting personnel deployed in support of OIF/OEF and the number of ongoing contract fraud investigations. (Table 1)

Table 1. Open Southwest Asia Fraud Investigations⁷

Service	% of total contracting force	# of Open Fraud Investigations
Air Force	70	1
Army	28	77
Navy	2	0
Total	100	78

There appear to be correlations between the amounts of training the Services provide CCOs before deploying them, the tour length they are required to serve, and the number of documented fraud cases each Service has encountered.

⁷ Commission on Army Acquisition and Program Management in Expeditionary Operations. *Urgent Reform Required: Army Expeditionary Contracting*. October 31, 2007. Number of open cases may involve other than warranted CCOs (some may be contracting officer representatives, finance personnel, technical representatives, etc.)

Another factor adding to the disparity could also be linked to the inadequate numbers of contract oversight personnel present in theater. While contracting officers are dedicated to the timely award of contracts to support the mission, the contract management or oversight after the award is made is a function of the Defense Contract Management Agency (DCMA). DCMA, however, is not currently staffed to provide operational contract management for expeditionary operations. The focus of DCMA efforts has been the management of weapons systems contracts and contracts that were awarded outside the theater of operations. This lack of available contract management ability in the theater of operations poses an obvious risk to increased fraud and overspending.

Training:

The Army is the executive agent for contracting in Iraq and Afghanistan but is unable to fill its share of contracting billets (Table 2).⁸ The reason for this is a lack of qualified, trained contracting personnel available to send to the theater of operation. The Center for Naval Analysis conducted a study comparing Army acquisition management areas such as leadership focus on acquisition, funding, and budgeting to the other military Services.⁹ The study showed that the Army was significantly behind both the Air Force and the Navy in key management areas in 2001 and the Gansler Commission reported in 2007 that the Army was still struggling with the same challenges.¹⁰ The Air Force and the Navy have provided the commander for Joint Contracting Command Iraq/Afghanistan (JCC-I/A) for the past 3 1/2

⁸ Maj Gen Darryl Scott, "Monthly Contracting Update" (briefing given to Regional Contracting Offices Iraq/Afghanistan Jan 2008).

⁹ Center for Naval Analysis, *The Army Acquisition Management Study: Congressional Mandate for Change*, May 2001.

¹⁰ Commission on Army Acquisition and Program Management in Expeditionary Operations. *Urgent Reform Required: Army Expeditionary Contracting*. October 31, 2007. p.17 (The report is informally as the "Gansler Report" --named for its chairman former Defense undersecretary Jacques Gansler).

years, and the Air Force also currently provides 70 percent of all JCC-I/A CCOs in support of the Army ground forces.¹¹

Table 2. CCOs Assigned to Joint Contingency Contracting-Iraq/Afghanistan (JCC-I/A) Command by Service

Service	# of CCOs	% of total contracting force
Air Force	119	70
Army	48	28
Navy	4	2
Total	171	100

Experienced contracting professionals are essential for mission success, and when supporting Army forces it only makes sense that Army contracting personnel would be able to better understand the Army culture, regulations, and organizational structure of their Service. Only 3 percent of the Army contracting personnel are military as opposed to 37 percent in the Air Force.¹² The Army officers begin their contracting career no earlier than eight years after commissioning and Army enlisted personnel do not normally transition to contracting until the six to eight year point of their careers.¹³ Air Force contracting officers, on the other hand, begin their contracting careers as their initial duty assignment and will continue to gain experience and expertise throughout their entire military careers.

Although DoD is attempting to standardize contingency contracting procedures through lesson learned web sites, after action reports, and, most recently, a Joint Contingency

¹¹ Roger Correll, "Defending Contractors," *Air Force Times*, 30 September 2008, Opinion. (Roger Correll is the Deputy Assistant Secretary Contracting and Assistant Secretary Acquisition).

¹² Commission on Army Acquisition and Program Management in Expeditionary Operations. *Urgent Reform Required: Army Expeditionary Contracting*. October 31, 2007. p. 4

¹³ Doby Bokinsky, "ACCP-TF Creates New Vision for Worldwide Army Contracting Operations," *USAASC.com*, October 2008, http://www.usaasc.info/alt_online/article.cfm?iID=0811&aid=13 (Accessed 1 April 2009).

Handbook it will not alleviate the fact that the Army needs to increase significantly the number of qualified contracting officers to address the needs of their deployed forces.¹⁴

Although the Army has had problems filling the required contracting billets for OIF/OEF, there is a lot to be said for the individual professionalism displayed by most of its acquisition corps. These fine officers are doing the best they can despite inadequate training, and there are lessons to be learned in many cases. In a recent deployment to Iraq, the author was privileged to have an Army Major assigned to my contracting office.¹⁵ He had spent 10 years as an infantry officer, had his Ranger tab, and had been assigned to an Army acquisition billet only eight months before arriving in theater. Although his contracting training and skill set was inadequate, his attitude and understanding of how the Army units needed the contract support was outstanding. He understood the importance of his new job and how much his Army brothers relied on him out on the battlefield, and he made it a point to learn everything he possibly could from the experienced Air Force staff sergeant (E-5) he sat next to in the office.¹⁶ In six months he had awarded nearly 2,500 small dollar contracts valued at over \$70 million dollars. The experience he gained coupled with his background as a professional Army officer leaves no doubt that he is now capable of leading an Army Regional Contracting Office on his next tour. This example is in direct contrast, however, with what the Army has been doing by placing inexperienced contracting officers into contracting leadership positions without the proper background. The Gansler report quoted an Army field grade officer as stating, “I am assigned to a field grade command with

¹⁴ James Finley, “Statement,” Senate, *Department of Defense Contracting in Iraq and Afghanistan: Statement to Subcommittee on Readiness and Management Support Committee on Armed Services*, 2 April 2008, 5.

¹⁵ The author is an Air Force Contracting officer with 13 years of contracting experience and has completed 3 deployments as the chief of a Contingency Contracting office.

¹⁶ The Air Force begins training contracting officers (both officer and enlisted) at the beginning of their career

lieutenant qualifications.”¹⁷ Another Army major who was deemed incompetent was fired from leading the Regional Contracting Office to which he was assigned.

Planners need to ensure the force they employ is properly trained, especially if they are to lead. To prevent these types of problems, DoD and the USAF have created specific training programs to enhance contracting effectiveness. The Air Force’s “Top Dollar” exercise puts base level contracting and finance squadron personnel through realistic contingency scenarios for two weeks in order to prepare them for real world deployments. This rigorous exercise tests all prior classroom, unit training, and home station contracting experience prior to their first operational deployments. This exercise has been recently discontinued, as the Air Force is getting all the real world experience it needs to stay proficient. Silver Flag is another exercise the Air Force currently conducts to train leaders on their roles and responsibilities as commanders in control of contracting squadrons as well as exercises the skills of new contracting officers in the pipeline.

Defense Acquisition University (DAU) has redesigned the training curriculum to improve contingency contracting courses offered to all Services. This effort is an attempt to standardize the required training all CCOs must complete to be qualified to deploy into the theater. The redesigned training is synchronized with the Joint Contingency Handbook that was finalized and issued to all Services in early 2008.¹⁸ DAU has also teamed up with all the Services to provide a classroom training course designed for senior level contracting personnel who are to deploy to a management position. Another class is being developed to educate those commanders who will have contract management as well as contractor

¹⁷ Commission on Army Acquisition and Program Management in Expeditionary Operations. *Urgent Reform Required: Army Expeditionary Contracting*. October 31, 2007, p.6

¹⁸ *Contingency Contracting: A Joint Handbook* was developed by the Air Force Logistics Management Agency to lay the groundwork for developing a Joint framework for contingency contracting during operations.

oversight responsibility under their command in deployed locations. Representative Joe Sestak (D-PA) proposed a bill in March of 2009 that would require all military personnel to undergo pre-deployment training in the management of contracts and contractors.¹⁹ The suggested training would focus on proper ethical behavior as well as contractor oversight procedures in the field, and will not only help ensure that commanders in the field get fully trained contracting officers that understand the contracting processes and how to function in the joint operational environment but also get an entirely better educated force as well.²⁰

CCO Deployment Tour lengths:

This could be the largest disconnect or difference in the way the Services deploy contracting personnel and clearly deserves a closer look to determine the risk factors associated with how longer deployments may effect poor ethical decisions. Contracting Officers placed into situations where they may become too comfortable over time with local contractors and therefore may be at a higher risk for questionable or fraudulent behavior. Cases involving fraud usually include a CCO who was in one place for an extended period of time, such as the case of an Army officer that was indicted after spending over a year writing contracts in Kuwait. He pleaded guilty to accepting over \$9 million in bribes in a complex bribery and money-laundering scheme that also involved his wife, other family members, subordinates under his leadership in the contracting office, and foreign contractors with which he held long term relationships with.²¹ More time in one contingency location only

¹⁹ Christopher Castelli, "Bill Would Require All Troops to Learn Contract Management," *InsideDefense.com*, 19 March 2009, http://www.insidedefense.com/secure/display.asp?docum=3192009_march19b&f=defense... (accessed 24 March 2009). This bill was introduced on 18 Mar 09 by a retired three-star admiral.

²⁰ James Finley, "Statement," Senate, *Department of Defense Contracting in Iraq and Afghanistan: Statement to Subcommittee on Readiness and Management Support Committee on Armed Services*, 2 April 2008, 9.

²¹ Dana Hedgpeth, "2 Plead Guilty to Army Bribery Scheme," *WashingtonPost.com*, 25 June 2008, http://www.washingtonpost.com/wp-dyn/content/article/2008/06/24/AR2008062401341_pf.html (accessed 18 April 2009).

increases opportunity for contactor-contacting officer relations and increase risk to fraud situations.

Army CCOs typically deploy for 12-15 months, while the Air Force recently set all contracting deployments at six months. Air Force contracting officers are currently one of the most stressed career fields in the Service. The vacancy rate for Air Force military contracting specialty codes is currently around 43-percent.²² Like Security Forces and Civil Engineers, Air Force CCOs are supporting 1:1 dwell cycle which means they will deploy 6 months: return home for 6 months then deploy again. This is opposed to most other Air Force career fields that are supporting 1:3 or 1:4 dwell cycles. The effects of the constant deployments, and high demands for contracting officers in civilian companies are taking their toll on contracting officer retention which further reduces the available pool of qualified personnel for theater operations. The Navy, also pulling duty as contracting officers in support of current Army operations is doing so in large part via their reservists and are filling mostly HQ staff positions in theater. The Navy, although expeditionary, is more of a self sufficient organization requiring little need for trained CCOs on ships. As the Navy fills Army personnel gaps on the ground it too is realizing the need for more and better trained acquisition personnel.

If longer deployments are deemed necessary, the Army could consider a rotation within theater so each CCO is not at any one location for longer than a four month period. This would prevent the opportunity for too much familiarity with contactors and a rotation would provide a constant set of fresh eyes at each location.

²² Bruce Rolfson, "Contracting Officers May Be Up for Extra Cash," *Air Force Times*, 19 March 2009, http://www.airforcetimes.com/news/2009/03/airforce_acquisition_personnel_031909/ (accessed 21 April 2009).

Roger Correll, Deputy Assistant Secretary, Contracting, and Assistant Secretary, Acquisition, recently defended an opinion letter in the Air Force Times regarding the Air Force lack of mission focus due to the shorter tour lengths compared to the length of the standard Army deployment. Mr. Correll pointed out that the Air Force had previously done away with all of the 90 and 120-day deployments for CCOs. All Air Force contracting tour lengths are 179 days and many 365-day tours for several key positions were created in order to increase the continuity required where some of the more complex contracts are written. This is where the Air Force and other Services need to be careful in making generalizations and comparisons of this type. Longer tours may be viewed as “more fair” or “more equal,” but may not be conducive to better overall support. The facts of the past six years show that what the Air Force has in place has worked and to make changes to appear “more fair” could be a recipe for disaster.

Oversight:

The management of contracts and contractors in a contingency environment requires an enhanced capability to provide the proper oversight required. Contingency conditions require a workforce that is trained to conduct oversight and is also held accountable for their responsibilities. This is essential for effective contract support in deployed locations. None of the Services have enough military personnel trained in contract oversight and management once the CCOs have awarded the contract. DCMA also lacks the available resources and personnel to provide the needed contracting oversight. The only option in most cases is to hire civilian contractors to fill the void. Although appearing less expensive in the short term, this may be costing the military some of the experience they desperately need. In some cases civilian contract employees are paid 10 times that of their military counterparts they work

side by side with.²³ Military members working side by side with higher paid contractor counterparts, completing the exact same job is beginning to take its toll on the military workforce. Three of the four enlisted CCOs I worked with in the Baghdad Regional Contracting Office in late 2007 have since elected to end their military careers early and accept positions with civilian contractors. The disparity in wages can lead the military member to develop a sense of “I deserve it too” attitude and “I have already saved the U.S. taxpayer so much money in good contract negotiations that I deserve a cut” according to one CCO I spoke with in 2008.²⁴

Deployed to a small forward operating base in Afghanistan I saw first hand how lack of contract management can lead to cost overruns and possible fraudulent contractor claims. The contractor on site providing food, laundry, maintenance and other base operation function services to the Army via the Army LOGCAP²⁵ contract was managed by one DCMA civilian. This multi-million dollar contract was too large and too complicated for one person to manage. DCMA like the Services need more trained personnel in order to fulfill their oversight mission in contingency operations.

CONCLUSIONS

The Army must make contracting a core competence. The contracting career field is very complex and cannot be learned by officers in a short course prior to deployment. It requires a career-long learning path and involves on-the-job training in order to become proficient in the rules and regulations involved. Every contract requirement and every

²³ Personal experience with civilian contractors working as contract managers in Baghdad Regional Contracting Office Oct 2008

²⁴ Personal experience with CCO in Baghdad Regional Contracting Office Oct 2008

²⁵ LOGCAP (Logistics Civilian Augmentation Program) is the United States Army Corps of Engineers contract currently held by Halliburton. The contractor is responsible for providing supplies and services to the military on a global basis.

contractor will present a different set of conditions that will require the sound judgment calls that only come with experience. With the Army decision to treat contracting as an operational side issue by choosing not to bring officers and NCOs into the career field until the eight to ten year point of their career is a mistake. The number of fraud cases and audit findings that have plagued them over the past few years is proof enough that something needs to be changed in order to effectively deploy quality CCOs into the contingency zone. DoD personnel and funding cutbacks have forced the Services to rely less on organic support and outsource needed services and supplies, this will not change over time. These critical requirements can only be obtained through the acquisition process and therefore requires quality contracting officers. Joint Operations Publication 3-0²⁶ states that only contracting can bridge the gaps in organic support and it must be planned for prior to deployment. Rotations or shorter deployment lengths should be considered and more oversight is needed to better support operations that are now so dependent on contract support.

Fortunately the news of contingency contracting is not all bad. Cases such as that of the Army Major who was convicted of awarding illegal contracts in the 2004 bribery scheme are definitely more the exception than the rule. As a percentage of the overall contracts written by CCOs—106,107 contracts valued at \$18.5 billion dollars in FY06 - FY08 alone²⁷—ones involving any type of impropriety are very rare. Stuart Bowen, Special Investigator General for Iraq Reconstruction stated that, “The fraud has been egregious, but as a relative matter to the total investment, it’s a small percentage.”²⁸ Although headlines

²⁶ Chairman, U.S. Joint Chiefs of Staff, *Joint Operations*, Joint Publication (JP) 3-0 (Washington, DC: CJCS, 17 September 2006 Incorporating Change 1 13 February 2008).

²⁷ Maj Gen Darryl Scott, “Monthly Contracting Update” (briefing given to Regional Contracting Offices Iraq/Afghanistan Jan 2008).

²⁸ Stuart Bowen, “Statement,” Senate, *The Effectiveness of U.S. Efforts to Combat Corruption, Waste, Fraud, and Abuse in Iraq*, 11 March 2008.

may lead the public to believe there are an extreme number of cases involving fraudulent military contracting practices, the reality is just the opposite. These reports are proof that the system works; fraud is actually being detected, prosecuted, and shared with the public. Although oversight processes are in place and they do work as evidenced by the open cases and convictions, there needs to be more of it. One case of a military member being charged with fraud or other accusation resulting from poor ethical decisions is too many. As with any process, contract oversight can always be improved, and a better trained contracting workforce could reduce the number of investigations and lower the overall costs and strains to the war's strained budget.

The Gansler Commission²⁹ uncovered many areas that not only the Army needs to correct, upon which all of DoD also needs to focus. The reasons for the failures in certain areas of contract support were due to a lack of experience in carrying out operations of this type in the past. These contracting examples are no different than those of past militaries preparing to fight the war they just finished. Personnel and budget cuts left the U.S. unprepared to execute the high number and extremely complex types of contract actions CCOs were asked award to sustain this current type of long war. History tells us that threats in the future are likely to be different from the threats in the past. However, the future threats in the world we live in are likely to be expeditionary and will involve large amounts of contractor personnel and contract support. This is exactly why commanders must have situational awareness of contracts and contractors in the theater to plan, synchronize, and manage the assets and the supply chain. Proper planning and contract management will be a key in the success of future operations. Contracting officers provide the critical link between

²⁹ Commission on Army Acquisition and Program Management in Expeditionary Operations. *Urgent Reform Required: Army Expeditionary Contracting*. October 31, 2007

warfighter needs and contractors that fill those needs. There have been many success stories and many lessons have been learned since 2001. The United States is sustaining its own troops on several fronts while attempting to rebuild the infrastructure of the nation in which it continues to fight and for the most part is successful. The Air Force had a head start in the method it trained and prepared its contracting personnel, and their leadership has held strong against the urge from the other Services to extend CCO deployment lengths from the current six month rotations to equal that of the Army. These two factors and have led to success in maintaining a strong ethically sound base of professional CCOs which in turn saves the geographic commander costs in both dollars in theater and respect at home with the U.S. taxpayers.

RECOMMENDATIONS

The first recommendation is that until the Army grows a base of qualified, experienced CCOs they should not be placed in contracting leadership positions in a contingency environment. A deployed contracting office is not a place where rank without technical knowledge can be effective. It will ultimately lead to frustration and poor leadership decisions. A considerable reduction in contracting and acquisition personnel since the end of the cold war coupled with a 500 percent increase in contract actions since the beginning of OIF has left the Army with a large gap to fill.³⁰ The Army realizes it will need more people and have announced plans to increase its military contracting workforce by 131 in fiscal year 2009 and 25 percent increase to the workforce over the next three years. Although this is the right start, simply increasing acquisition slots and bodies is not the

³⁰ Elizabeth Newell, "Army Increases Ranks of Contracting Personnel, but Gaps Remain," *Government Executive.com*, 26 March 2009, http://www.govexec.com/story_page_pf.cfm?articleid=42351&printerfriendlyvers=1 (accessed 18 April 2009).

answer to the problem, the Army will need to follow through with a strict training program consistent to what will be needed in the contingency arena.

Another recommendation is that a study be done to look further at deployment tour lengths for contracting officers. I believe as time in one theater grows so does unnecessary contractor familiarity and the risk for possible fraud. If the study shows that longer deployments such as the 12-15 month tours the Army CCOs have been doing have a positive correlation to the number of fraud cases and investigations it should be changed. My personal experience in the contingency environment lends me to believe that six month deployments are too long in any one location. Rotating CCOs in and out of theater every 90 days may be too costly to consider and continuity for larger ongoing contracts would be lost in the process. However, deployments limited to 4 months in length would cut the risk of contract fraud as well as help sustain the contracting force that had been overburdened by too many extended deployments. If the Services are insistent on longer deployments then rotation within the theater should be considered. There is no need to maintain unit integrity as far as contracting is concerned. It will most likely prove beneficial to break long standing command affiliation as well as contractor relationships that may have grown over time. Three to four month rotations would also provide better oversight for all of the contracting offices as a new set of eyes would constantly be arriving providing a fresh look.

To improve contract management more tests and exercises like what the U.S. European Command (USEUCOM) tested last year need to be conducted. They tested a concept to integrate contractors and contract operations into a military exercise to help educate and prepare operational commanders and planners better manage contractors. The exercise (AUSTERE CHALLENGE) was conducted in May 2008 and validated the idea that

inserting team of trained program management and contracting personnel responsible for monitoring contractors in the Joint Force Commander's area of responsibility can be very successful and provide the commander with much needed visibility regarding contracts and contractors.³¹ Early planning and war gaming exercises such as this will ensure that contracting is integrated early enough into mission planning and execution of future conflicts.

“The highest art in operational leadership is to make timely and sound decisions”.³² Knowledge of the contract support system and the law they operate in will assist operational leaders in the decision making process. Education is how this can happen, Geographic Combatant Commanders and their staffs need to be educated on the important role that expeditionary contracting plays in operational mission success. Adding contract support information to command schools, war colleges, all levels of professional military education would provide a foundation for the future commanders and staff planners. In the long run a better foundation and basic understanding of contract support military-wide will lead to better planning and lower costs for DoD.

³¹ Moshe Schwartz, *Training the Military to Manage Contractors During Expeditionary Operations: Overview and Options for Congress*, CRS Report for Congress (Congressional Research Service, 17 December 2008), 1-9.

³² Milan N. Vego, *Joint Operational Warfare* (Newport, RI: United States Naval War College, 2007).

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